

REMARKS

This communication is in response to the Office Action mailed on January 29, 2007. The Examiner has rejected claims 1, 6-16 and 19-22. Applicant has amended claims 1, 16 and 19-22 and added new claims 23 - 27. Support for the amendments can be found in the specification at least at page 4, line 37 - page 5, line 18 and Figures 1A, 1B, 2A, 2B, 3A-C, 9A, 9B, 10, 11, 12 A-D and 13 A-D. Applicant has amended claims 19-22 to claim that the claims depend from claim 16 instead of claim 12 to correct the dependency of the claims. The Application currently includes claims 1, 6-16 and 19-27.

Specifically, Applicant has amended the specification to particularly state that the perimeters of adjacent forming rollers at least partially overlap. The specification as filed discloses this configuration of the forming rollers at least at Figures 1A, 1B, 2A, 2B, 3A-C, 9A, 9B, 10, 11, 12 A-D and 13 A-D. No new matter has been added.

The Office Action rejected claims 1, 7-11, 16 and 20-22 as being anticipated by the Hamstra U.S. Patent No. 6,442,988 ("Hamstra patent"). The Office Action alleges that the Hamstra patent discloses a metal cylinder workpiece 10 having various diameters 11, 20 wherein the workpiece 10 is clamped down by a clamping device 16 on the workpiece and a first tool 20 are rotated relative to each other. The Office Action alleges that the workpiece is deformed by the first tool while the workpiece is moved along its axis of rotation. The Office Action alleges that a second forming tool 20b is placed into contact with the lower piece at a position behind the first tool and references Figures 5a and 5b. The Office Action alleges that tools are forming rollers which are mounted on a common holder and radially adjustable. The Office Action concludes that a tensile stress is produced between the roller tools and a mandrel 22 having a

cylindrical region and a tapered region.

Applicant respectfully disagrees that independent claim 1 is anticipated by the Hamstra patent. An element of independent claim 1 includes that the forming rollers associated with the first or second tools are configurable to form an eccentric surface on the metal cylinder or plate. Support is found in the specification at least at page 4, line 37 - page 5, line 18.

There is no disclosure in the Hamstra patent of a method of being able to form an eccentric surface on the metal cylinder or plate. Rather, the Hamstra patent discloses that the tool forms symmetrical surfaces about the axis of rotation.

Claim 1 also claims that holder of the tools rotates. The Hamstra patent discloses that the holder and therefore the tools do not rotate about the axis of rotation of the piece being deformed. Rather, the tools contact the piece being deformed while the piece is rotated.

Therefore, the Hamstra patent does not disclose each and every element of independent claim 1 and independent claim 1 is not anticipated by the Hamstra patent. Reconsideration and allowance of claim 1 are respectfully requested

The Office Action also rejected dependent claims 7-11 as being anticipated by the Hamstra patent. While Applicant does not aqueous to the rejection of dependent claims 7-11, Applicant submits that the rejections are moot in light of the fact that independent claim 1 is in allowable form. Reconsideration and allowance of claims 7-11 are respectfully requested.

The Office Action also rejected independent claim 16 as being anticipated by the Hamstra patent for the reasons stated with respect to independent claim 1. Applicant submits that the Hamstra patent does not anticipate independent claim 16. An element of independent claim 16 includes that the perimeters of the forming rollers of the first and second tools at least

partially overlap. Support for this amendment is found at least in Figures 1A, 1B, 2A, 2B, 3A-C, 9A, 9B, 10, 11, 12 A-D and 13 A-D of the present application. Referring to Figures 2, 5a and 5b of the Hamstra patent, the forming rollers 20a are offset from the forming rollers 20b and the perimeters of the forming rollers 20a and 20b do not at least partially overlap as claimed.

The Hamstra patent does not disclose each and every element of independent claim 16. Therefore, the Hamstra patent does not anticipate independent claim 16. Reconsideration and allowance of independent claim 16 is respectfully requested.

The Office Action also rejected dependent claims 20-22 as being anticipated by the Hamstra patent. While Applicant does not acquiesce to the rejections of claims 20-22, Applicant submits that the rejections are moot in light of the fact that independent claim 16 is in allowable form. Reconsideration and allowance of claims 20-22 are respectfully requested.

The Office Action also rejected independent claim 1 and dependent claims 13-15 under 35 USC § 102(e) as being anticipated by the Tittman U.S. Patent No. 6,494,072. The Office Action alleges that the Tittman patent discloses a clamping device 22, 24 for rotating a blank 10. The rolling tool 30 is located behind a rolling tool 26 and is pivoted relative to an axis of rotation of the blank. Each of the rolling tools 30 and 26 is radially adjustable and the blank is manufactured into a product having various diameters.

Applicant respectfully disagrees that independent claim 1 is anticipated by the Tittman patent. An element of independent claim 1 includes that the first and second tools are configurable to form an eccentric surface on the metal cylinder or plate as claimed. Support for this claim language is found at least to page 4, line 37 - page 5, line 18. There is no disclosure in the Tittman patent of a method of forming an eccentric surface. Rather, the Tittman patent discloses surfaces

that are formed radially about an axis of rotation.

Claim 1 also claims that the first and second tools be mounted on a common holder. The Tittman Patent discloses that each tool is mounted on an individual holder located on opposite sides of the axis of rotation. Therefore the Tittman Patent does not disclose mounting the first and second tools on a common holder as claimed.

For the foregoing reasons, the Tittman patent does not anticipate independent claim 1. Reconsideration and allowance of independent claim 1 are respectfully requested.

The Office Action also rejected dependent claims 13-15 as being anticipated by the Tittman patent for the reasons stated with respect to independent claim 1. While Applicants do not aqueous to the rejections of dependent claims 13-15, Applicants submit that the rejections are moot in light of the fact that independent claim 1 is in allowable form. Reconsideration and allowance of dependent claims 13-15 are respectfully requested.

The Office Action also rejected claims 6 and 19 under 35 USC § 103(a) as being unpatentable over the Hamstra patent in view of Zohler U.S. Patent 4,765,058. The combination of the Hamstra patent with the Zohler patent does not overcome the deficiencies provided with respect to independent claims 1 and 16. Therefore, claims 6 and 19 are in allowable form. Reconsideration and allowance of claims 6 and 19 are respectfully requested.

The Office Action also rejected dependent claim 12 under 35 U.S.C. § 103(a) as being obvious over the Hamstra patent in view of Jenness U.S. Patent No. 6,212,926. Applicant respectfully submits that the Jenness patent does not overcome the deficiencies of the Hamstra patent with respect to independent claim 1. Therefore, dependent claim 12 is not made obvious by the combination of the Hamstra patent in view of the Jenness patent. Reconsideration and allowance of claim 12 is

respectfully requested.

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

For the foregoing reasons, Applicant submits that the present application is in allowable form. Allowance of the present application is respectfully requested.

An extension of time is hereby requested for responding to the Office Action. An online charge authorization for the extension of time fee is included herewith.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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